

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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Tommarchi

Plaintiff,

-v-

ORDER OF DISMISSAL
CV-04-247 (TCP)

Home Depot USA

Defendant.

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IT IS HEREBY ORDERED, having been advised by the parties on April 8, 2005 that the above case has settled, the case is dismissed. A stipulation of settlement should be forwarded to the Court as promptly as possible.

IT IS FURTHER ORDERED should the settlement not be consummated the Court will reopen the case upon receipt of letter from counsel so requesting.

The Clerk of the Court is directed to mark this case closed.

/s/

Thomas C. Platt
U.S. District Judge

Dated: Central Islip, NY
April 26, 2005